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Attorneys for Defendants

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

BOARD OF TRUSTEES OF UNITE HERE )  
 HEALTH; BOARD OF TRUSTEES OF )  
 SOUTHERN NEVADA CULINARY AND )  
 BARTENDERS PENSION TRUST; BOARD )  
 OF TRUSTEES OF SOUTHERN NEVADA )  
 JOINT MANAGEMENT AND CULINARY )  
 AND BARTENDERS TRAINING FUND; )  
 BOARD OF TRUSTEES OF CULINARY AND )  
 BARTENDERS HOUSING PARTNERSHIP; )  
 BOARD OF TRUSTEES OF CULINARY AND )  
 BARTENDERS LEGAL SERVICE FUND )  
 f/k/a CULINARY AND BARTENDERS TIP )  
 EARNERS LEGAL ASSISTANCE FUND, )

Plaintiffs,

vs.

HRE HOLDINGS, LLC, a Nevada limited )  
 liability company d/b/a Yong Kang Street; HIG )  
 MANAGEMENT, LLC, a Nevada limited )  
 liability company d/b/a Yong Kang Street; YKS )  
 PARIS, LLC, a Nevada limited liability company )  
 d/b/a Yong Kang Street; YOLANDA WU, an )  
 individual; DAVID WU, an individual; BOBBY )  
 SABAS, an individual; JOHN DOES I-XX, )  
 inclusive; and ROE ENTITIES I-XX, inclusive, )

Defendants.

Case No.: 2:21-cv-00498-JCM-EJY

**STIPULATION AND ORDER TO  
 STAY DISCOVERY**

**THIRD REQUEST**

1 Plaintiffs and Defendants, each acting by and through their undersigned counsel, respectfully  
2 submit this Stipulation and Order for Stay of Discovery (Third Request) (“Stipulation and Order”).  
3 This Stipulation and Order constitutes the parties’ third request for such an extension and is being  
4 entered in good faith and not for the purpose of improper delay.

5 **A. BACKGROUND**

6 1. Plaintiffs filed the Complaint on March 25, 2021.  
7 2. Defendants answered the Complaint on May 28, 2021.  
8 3. On November 5, 2021, the parties were due to file the proposed Discovery Plan and  
Scheduling Order.

9 4. Defendants allege that: (i) the restaurant operated by Defendant YKS Paris, LLC, is  
10 closed and out of business; (ii) Defendants have had no revenue coming to Defendants for many  
11 months; (iii) Defendants are willing to put their resources into trying to resolve this case; and (iv)  
12 Defendants understand the responsibilities of the Plaintiffs, who have obligations as fiduciaries.

13 5. The parties want to minimize to the extent possible the expenditure of monies for  
attorneys’ fees.

14 6. On July 16, 2021, the Parties filed a Stipulation and Request for Stay of Discovery for  
15 Seventy-Five (75) Days (First Request) to allow (i) the parties to informally exchange data and  
16 documents, (ii) the Plaintiffs time to perform an audit and firm up the amounts they seek from  
17 Defendants, (iii) the Defendants to make determinations relative to the individual Defendants’ liability,  
18 and (iv) the parties the opportunity to discuss the possibility of settlement. The Court entered its Order  
19 Granting the Stipulation on July 19, 2021.

20 7. The parties have exchanged preliminary documents and data, much of which they  
believe will be the same as the document and data discovery in this Case.

21 8. Following Defendants’ production of the data and documents, Plaintiffs performed  
22 an audit and provided the Defendants with preliminary findings.

23 9. On October 8, 2021, the court granted a stay until November 5, 2021.  
24

10. Since that time, the parties have exchanged settlement proposals and are still discussing settlement.

11. The parties intend to discuss possible resolution of this case and/or narrowing of the factual and legal issues.

12. In order to have time to perform the above without engaging in the expense of formal discovery, the parties agree that an extended stay of discovery is necessary.

13. This Stipulation is made for the purposes stated above and not for purposes of delay or any other improper purpose.

**B. STAY OF DISCOVERY**

1. The parties agree to stay discovery in this matter for fourteen (14) day, from November 6, 2021 through **November 19, 2021**.

2. If the parties do not reach an agreement to settle by November 19, 2021, the parties will file a Discovery Plan and Scheduling Order no later than **November 29, 2021**, which at this juncture the parties expect to file in compliance with LR 26-1(b). That document is already in draft form.

DATED: 5 NOVEMBER 2021

DATED: 5 NOVEMBER 2021

CHRISTENSEN JAMES & MARTIN, CHTD.

KAMER ZUCKER ABBOTT

By: /s/ Kevin B. Archibald

By: /s/Carol Davis Zucker

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*Attorneys for Plaintiffs Board of Trustees  
of UNITE HERE Health, et al.*

*Attorneys for Defendants HRE Holdings, LLC,  
et al.*

**ORDER**

For the reasons stated above, and for good cause, IT IS HEREBY ORDERED as follows:

1. The Stipulation and Order to Stay Discovery (ECF No. 15) is GRANTED.
2. Discovery is stayed until November 29, 2021.
3. If the parties do not have an agreement to settle by November 29, 2021, the parties

will file a Discovery Plan and Scheduling Order no later than November 29, 2021.

IT IS FURTHER ORDERED that the Stipulation and Request for Stay of Discovery for Seventy-Five (75) Days (ECF No. 12) is DENIED as moot.

IT IS FURTHER ORDERED that the Stipulation and Order to Stay Discovery (ECF No. 14) is DENIED as duplicative of ECF No. 15.

Dated: November 8, 2021.

  
UNITED STATES MAGISTRATE JUDGE